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March 10, 2003

The Honorable Susan K. Gauvey
U.S. Magistrate Judge
United States District Court
for the District of Maryland
101 West Lombard Street
Baltimore, Maryland 21201

RE: John Lucas Enderle, *et al.* v. Gwyn Harrison, *et al.*
United States District Court for the District of Maryland
Case No. L 01CV2849

Dear Judge Gauvey:

I represent Defendant Sacred Heart Hospital in the captioned suit. I received the Court's letter of March 4 scheduling a settlement conference in the case for May 15. Unfortunately, I am already scheduled to be in trial on that day in the Circuit Court for Howard County in the case of *Irene Windsor, et al. v. St. Agnes Healthcare, Inc., et al.*, No. 13-C-01-048434MM. Additionally, Mr. Varner, who represents Defendant Harrison, is scheduled to be in an Administrative Hearing for the matter of Steven A. Pickert, M.D., DHMH-BPQA - 71 - 20020024 (see the attached Notice of Hearing). I have called opposing counsel to advise them of our conflict but have not yet received a return phone call. I would be happy to consult with counsel to find an alternative date on which we and the Court are available for the settlement conference, if the Court so directs. I appreciate the Court's consideration.

Respectfully,


Gertrude C. Bartel

GCB/sas

cc: Michael C. Rosendorf, Esquire
Conrad W. Varner, Esquire

OFFICE OF ADMINISTRATIVE HEARINGS

11101 GILROY ROAD

HUNT VALLEY, MARYLAND 21031

NOTICE OF HEARING

Conrad W. Varner, Esq.
Varner & Goundry
30 West Street, Suite 700
Frederick, MD 21701

DATE: 11-21-2002
Case# DHMH-BPOA -71 -200200024
RE: ~~Pickert~~, MD, Steven A.

This is to advise you that the above referenced case has been scheduled for Tuesday May 13, 2003 at 09:30 AM at: Office of Administrative Hrgs., 11101 Gilroy Road, Hunt Valley, MD

At issue is whether the Board of Physician Quality Assurance may take disciplinary action against the licensee. The legal authority for the hearing is found in Md. Code Ann., Health-Occ., Section 14-405, and the Code of Maryland Regulations (COMAR) 10.32.02. The procedure to be followed at the hearing is found in Md. Code Ann., State Gov't. Sections 10-201 through 10-226, Md. Code Ann., Health-Occ., Section 14-405 and COMAR 10.32.02 and 28.02.01.

Parties have the right to present witnesses and documents, via subpoena, and to request a copy of the hearing procedures involved, upon payment of costs. If you have not done so already, you may engage in legal counsel, who should promptly enter an appearance on your behalf.

NEGOTIATIONS ARE, OF COURSE, ENCOURAGED. HOWEVER, THEY ARE TO TAKE PLACE PRIOR TO THE SCHEDULED HEARING. Failure to appear or to give timely notice of your inability to appear for the hearing may result in a decision against you.

All filings, pleadings or other writings concerning this case must be addressed to this office, and a copy must be sent by you to the opposing representative or to an unrepresented party. Please be sure to make reference to the case number listed at the top of this page in any further written or oral communications you may have with this office.

Docket Specialist, Unit E
(410) 229-4281 or (410) 229-4294

PLEASE BE ADVISED THAT THE HEARING WILL CONTINUE ON WEDNESDAY, MAY 14, 2003, THROUGH FRIDAY, MAY 16, 2003, BEGINNING EACH DAY AT 9:30A.M., @ THE OFFICE OF ADMINISTRATIVE HEARINGS, ADMINISTRATIVE LAW BUILDING, 11101 GILROY ROAD, HUNT VALLEY, MD 21031

REC'D NOV 22 2002